

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

U.S. DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FILED

AUG 26 2020

UNITED STATES OF AMERICA

v.

ISLAM YASER-ABDEL SAID (01)

CLERK U.S. DISTRICT COURT

No. 4:20-mj-562
By: Deputy

CRIMINAL COMPLAINT

Concealing a Person From Arrest and Conspiracy to Conceal a Person From Arrest
(Violation of 18 U.S.C. § 1071 and 18 U.S.C. §§ 371 and 1071)

I, Daniel Gimenez, a Special Agent with the Federal Bureau of Investigation

("FBI"), being duly sworn, depose and state as follows:

INTRODUCTION

1. I am an "investigative or law enforcement officer of the United States" within the meaning of 18 U.S.C. § 2510(7), that is, I am an officer of the United States who is authorized by law to conduct investigations of, and make arrests for, offenses enumerated in 18 U.S.C. § 2516. I am a Special Agent with the FBI assigned to the Dallas Violent Crimes Task Force ("DVCTF") since November of 2014. As part of the DVCTF, I investigate federal violent crimes, including commercial robberies, extortions, bank robberies, kidnappings, carjacking, organized crime, flight to avoid prosecution and concealing person(s) from arrest.

This affidavit is made in support of a criminal complaint and arrest warrant for **Islam Yaser-Abdel Said** (White Male/DOB XX/XX/1988) ("**Islam Said**") for concealing a person from arrest, in violation of 18 U.S.C. § 1071 and conspiracy to conceal a person from arrest, in violation of 18 U.S.C. §§ 371 and 1071. This affidavit is based on my personal knowledge as well as on information provided to me by other law enforcement officers and other individuals who have participated in this investigation. Since this affidavit is being submitted for the limited purpose of establishing probable cause for a criminal complaint, I have not included every fact known to me concerning this investigation. Based on the facts set forth below, there is probable cause to believe that beginning on or about August 1, 2017 through on or about August 26, 2020, in the Northern District of Texas and elsewhere, **Islam Said**, did knowingly combine, conspire and agree with other persons known and unknown to commit offenses against the United States, to wit: unlawfully harbor or conceal a person from arrest, namely Yaser Said, so as to prevent Yaser Said's discovery and arrest, after having knowledge that a felony arrest warrant was issued for the apprehension of Yaser Said, in violation of 18 U.S.C. §§ 371 and 1071; and, did unlawfully harbor or conceal a person from arrest, namely Yaser Said, so as to prevent Yaser Said's discovery and arrest, after having knowledge that a felony arrest warrant was issued for the apprehension of Yaser Said, in violation 18 U.S.C. § 1071.

BACKGROUND OF THE INVESTIGATION

2. On or about January 1, 2008, Yaser Said murdered his two biological daughters, Amina and Sarah Said, by shooting them with a firearm inside of a taxicab Yaser Said was using at the time. On or about January 2, 2008, Yaser Said was charged in Dallas County, Texas, with Capital Murder, a felony in violation of Texas Penal Code 19.03, by way of a Texas Peace Officer probable cause affidavit, in which the Irving Municipal Court issued a warrant for Yaser Said's arrest. On or about July 30, 2008, a Dallas County Grand Jury in the 292nd Judicial District Court issued a true bill indictment for Yaser Said on charges of Capital Murder, in violation of Texas Penal Code 19.03, associated with the January 1, 2008 murder of his daughters referenced above. (Texas Arrest Warrant Number F-0833908).

3. On or about August 21, 2008, Yaser Said was charged, in the Northern District of Texas, by way of a criminal complaint, with Unlawful Flight to Avoid Prosecution, in violation of 18 U.S.C. § 1073. (3:08-MJ-298-BH, Dkt. 1). The same day, a federal arrest warrant was issued for Yaser Said's arrest by the United States District Court for the Northern District of Texas. (3:08-MJ-298-BH). On or about December 3, 2014, the United States filed a Motion to Unseal the Criminal Complaint against Yaser Said, and the same day the case and Criminal Complaint were unsealed. (3:08-MJ-298-BH, Dkts. 3 & 4). On or about December 4, 2014, Yaser Said was added as the 504th fugitive of the FBI's Top Ten Most Wanted Fugitive list.

4. During the course of this investigation, I have been assisted by other law enforcement investigators and multiple sources of information that have provided FBI agents with information regarding the Said family, specifically **Islam Said**, their activities and associations. All of the information provided to FBI agents by these sources of information, which have been investigated, have been found to be true, and therefore reliable and credible. FBI agents have also utilized other investigative techniques, including witness interviews, review of email accounts, vehicle rental records, travel records, social media accounts, wireless telephone records and their analysis of telephone toll and cell site location data, physical surveillance, and the use of search warrants of premises and accounts associated with members and associates of the Said. As a result of the above extensive investigation, your affiant and other members of the FBI have probable cause to believe that the Said family, and others, have concealed and assisted in concealing Yaser Said from law enforcement. Further, in light of the extensive investigation, I and other members of the FBI have probable cause to believe that **Islam Said**, and other Said family members have been communicating with Yaser Said since on or about January 1, 2008, in order for him to evade capture by law enforcement.

5. Throughout the investigation, Yaser Said's brothers – Yousri, Mohsen and Yassein Said, along with Yaser Said's only son, **Islam Said** – have been suspected of assisting or communicating with Yaser Said while he was wanted. According to Patricia Owens, who was Yaser Said's former wife and biological mother of the victims, Yousri, Mohsen, Yassein, and **Islam Said**, made statements to her about the January 1, 2008,

murders that indicated to her little remorse for the victims, but indicated support, justification or approval for Yaser Said's actions. Additionally, FBI agents interviewed Yaser Said's brothers and son, along with other members of the Said family, and found them to be less than fully cooperative with law enforcement. Finally, the various types of information supporting a finding of probable cause will be summarized in greater detail later in this Affidavit.

FACTS ESTABLISHING PROBABLE CAUSE

6. On or about August 14, 2017, between approximately 2:30 pm and 3:15 pm, J.C., who was the maintenance director at Copper Canyon Apartments located at 2444 Harwood Road, Bedford, Texas, entered apartment unit number 348 of Copper Canyon Apartments to repair a water leak. Apartment number 348 was leased to **Islam Said** at the time. J.C. knocked on the door of apartment number 348, no one answered, and J.C. then used a key to unlock the door. Upon doing so, J.C. found the door to be locked by a second interior deadbolt, which indicated that someone was inside the apartment unit at that time. J.C. knocked on the door again and announced himself as a maintenance employee of the apartment complex. J.C. observed an older Middle Eastern male, approximately 6'0" to 6'2" in height, open the door from inside the apartment unit. J.C. told the older Middle Eastern male that he needed to make repairs to a pipe within the apartment unit due to a reported leak. The older Middle Eastern male allowed J.C. inside to make the repairs, but did not speak to J.C. and only said, "hello" upon opening the door, and later said, "goodbye" when J.C. completed the repairs and exited the apartment unit.

7. J.C. returned to the apartment complex leasing office and notified the Copper Canyon Apartments manager, M.J., that he was greeted by an older Middle Eastern male at apartment number 348, and not the tenant of that unit. M.J. had previously been interviewed by FBI agents regarding **Islam Said** and was aware that **Islam Said** was the son of wanted fugitive Yaser Said. M.J. showed J.C. photographs of Yaser Said from Yaser Said's wanted poster, in which J.C. confirmed to M.J. that the individual in the photographs and the individual inside apartment number 348 were one in the same. M.J. contacted the FBI Dallas Field Office and notified agents that an apartment employee encountered Yaser Said inside the apartment unit leased by **Islam Said**. Later that day, agents of the FBI DVCTF responded to the Copper Canyon Apartments leasing office. Special Agent Grant Permenter interviewed J.C. and showed him several photographs of Yaser Said's brothers, including photographs of Yaser Said. J.C. identified the photographs of Yaser Said as being the older Middle Eastern male whom J.C. encountered at apartment 348.

8. On August 14, 2017, at approximately 6:30 p.m., Special Agent Permenter observed **Islam Said** arrive at the Copper Canyon Apartments. Special Agent Permenter attempted to interview **Islam Said**, asked him who was inside his apartment, and asked for his consent to search the apartment unit. **Islam Said** refused to cooperate with Special Agent Permenter and became upset. **Islam Said** told Special Agent Permenter that he was calling his lawyer. **Islam Said** then walked to his vehicle and stated to someone he called with his cellular telephone, "we have a big problem."

9. On August 14, 2017, at approximately 9:15 p.m., Irving Police Department ("IPD") Detective E. Curtis obtained a search warrant, issued by the 195th Judicial District Court, Dallas County, Texas, to search apartment number 348.

10. On August 15, 2017, at approximately 1:00 a.m., officers of the IPD, assisted by members of the FBI Dallas Division SWAT Team, executed the search warrant for apartment 348. Upon entry of the premises, members executing the search warrant found the front door of apartment 348 locked from the inside and had to breach the door with force. Law enforcement officers did not find anyone inside apartment 348. However, law enforcement officers found the sliding glass patio door open. Law enforcement officers observed a large bush outside and below the patio of apartment 348. The bush's leaves and branches appeared pushed downward and one branch appeared broken, indicating someone had jumped down and landed on the bush. Law enforcement officers observed a pair of eyeglasses next to the flattened bush, which was collected as evidence.

11. Thereafter, law enforcement officers collected several items of evidence from apartment 348 which included the following types of items: (1) a Pall Mall cigarette butt collected from a trash can (Evidence Item 20-1); (2) a cigarette butt collected from a trash can (Evidence Item 20-2); (3) the pair of eyeglasses collected from the northeast corner of the apartment building next to the flattened bush, located below the patio (Evidence Item 22); and (4) a toothbrush collected from a luggage bag located inside of a closet (Evidence Item 24). Following execution of the search warrant, an inventory of the items taken was left at the apartment.

The inventory identified the following items: computers, toiletries, GPS, phone, camera, paperwork, travel documents, cigarette butts, DNA swabs, fingerprints, crime scene photos, sunglasses, clothing.

12. On or about August 15, 2017, IPD detectives located the vehicle used by **Islam Said**, a Black 2003 Lincoln 4 Door sedan bearing Texas License Plate FNW2014, abandoned at a shopping center in Southlake, Texas. On or about August 24, 2017, IPD detectives obtained a search warrant, issued by the Dallas County District Courts, for AT&T to produce records of cellular telephone number (used by **Islam Said**) 682-701-9820, between the dates of August 7, 2017 through August 24, 2017. Your Affiant reviewed the AT&T records which showed that the user of the cellular telephone number, **Islam Said**, discontinued its use on or about August 19, 2017.

13. Additionally, the telephone call made by **Islam Said** on August 14, 2017, when encountered by Special Agent Permenter outside of his apartment unit, in which **Islam Said** stated that he was calling his lawyer and was overheard by Special Agent Permenter saying to the person he had called "we have a big problem" was to cellular telephone number 817-528-4444, a number used by Mohsen Said (one of Yaser Said's brothers). Mohsen Said was also observed by FBI agents outside the apartments prior to law enforcement executing the search warrant on apartment 348. The AT&T records also showed **Islam Said** in contact with 682-300-6868, a number used by Yousri Said; and 817-818-8414, a number used by Yassein Said. (As referenced above Yousri and Yassein are Yaser Said's other two brothers.)

Throughout this investigation and after the August 14, 2017, incident at Copper Canyon Apartments referenced in this Affidavit, your Affiant obtained telephone toll records pursuant to legal process for the referenced telephone numbers used by Mohsen, Yousri, and Yassein Said referenced above. Your Affiant reviewed those telephone toll records of calls made after the August 14, 2017, and discovered that upon being notified by **Islam Said** of the incident, the three Said brothers called each other several times and were also in a multiparty call with each other.

14. On August 26, 2017, FBI DVCTF agents were notified by Customs and Border Patrol ("CBP") officers that **Islam Said** was a passenger of a vehicle operated by Hany Medhat Mostaf Abdelgawad (Medhat), which was selected for secondary search at the United States and Canada border, located near Windsor, Canada and Detroit, Michigan. CBP officers interviewed Medhat during the encounter, who told CBP officers that he had worked for Lyft and recently was hired at Pizza Hut. Medhat also stated that he recently purchased the vehicle in Texas, and that he and **Islam Said** decided to take a "crazy road trip." CBP officers searched Medhat's cellular telephone device and discovered that Medhat had communicated to his new supervisor at Pizza Hut that he had a "family emergency" and could not begin his new job at Pizza Hut for another week.

15. On or about August 28, 2017, FBI DVCTF Supervisory Special Agent M. Verna received information from the FBI Legal Attache in Ottawa, Canada, that Toronto investigators located a hotel in Canada, where Medhat and **Islam Said** stayed from August 23, 2017 to August 26, 2017.

During this investigation, your Affiant interviewed J.C. from the Copper Canyon Apartments and N.M., who was the manager at the time of the interview. J.C. and N.M. stated that shortly after the August 14, 2017, incident, Yassein Said and another Middle Eastern individual showed up at the apartment leasing office and were extremely hostile towards J.C. and N.M., and demanded to know who saw someone at apartment 348. N.M. and J.C. asked Yassein to leave or N.M. would call the police.

16. On or about September 5, 2017, Special Agent Permenter sent the above referenced evidence items to the FBI Laboratory, located in Quantico, Virginia, for DNA examination and comparison, along with (1) head hair sample from victim Amina Said; (2) dried blood sample from victim Amina Said; (3) head hair sample from victim Sarah Said; (4) dried blood sample from victim Sarah Said; and (5) a buccal swab containing the saliva of Patricia Owens, referenced in this Affidavit. All evidence items referenced in this paragraph were collected pursuant to legal process and/or consent.

17. On or about December 12, 2017, your Affiant received the FBI Quantico Laboratory Report containing the results of nuclear DNA exemption and comparisons. FBI Forensic Examiners concluded, in part, the following: that Evidence Items 20-1 (Pall Mall cigarette butt), 20-2 (cigarette butt), 22 (eyeglasses) and 24 (toothbrush) were consistent with originating from a single male individual and were suitable for comparison purposes. The DNA results provided the following information. The complete DNA profile from item 20-1 (Pall Mall cigarette butt) was used for comparison purposes. Amina Said and Sarah Said were identified as the biological daughters of Yaser Said.

Patricia Owens was identified as the biological mother of Amina Said and Sarah Said. Based on the DNA typing results, and the comparison of Evidence Item 20-1 (Pall Mall cigarette butt) to Amina Said, Sarah Said, and Patricia Owens, the combined kinship index is approximately 5.3 quintillion. Therefore, the DNA profile obtained from item 20-1 (Pall Mall cigarette butt) is approximately 5.3 quintillion times more to be from the father of Amina Said and Sarah Said, with Patricia Owens as the mother, than if item 20-1 (Pall Mall cigarette butt) is from someone unrelated to these individuals. These results provide strong evidence that the DNA collected from item 20-1 (Pall Mall cigarette butt) originated from Yaser Said.

18. In or about the week of August 10, 2020, your Affiant conducted queries in law enforcement databases and discovered two single-family residences in the name of Dalal Said, who is the daughter of Yassein Said. One residence is a house located at 712 W 1st Street, Justin, Texas ("Justin residence"), which is located in the Eastern District of Texas, and a second residence which is a house located at 702 Shelmar Drive, Euless, Texas ("Shelmar residence").¹ Based upon the investigation and the ongoing surveillance, the Shelmar residence is known to be the primary residence of **Islam Said**. Thereafter, physical surveillance began being conducted at both residences.

19. On or about August 14, 2020, Special Agents White and Page conducted surveillance of the Justin residence and observed two bags and a chair on the curb of the property. While doing so, the agents coordinated with the local trash company.

¹ The Shelmar residence appears to have an outbuilding (shed) located in the backyard of the residence.

The local trash company picked up the trash as scheduled and thereafter, provided the bags and chair to the Special Agents White and Page. The two bags contained leaves and yard debris. The chair was taken into evidence by the FBI.

20. On August 17, 2020, Special Agent Randall White and Special Agent Taylor Page conducted physical surveillance of the Shelmar residence and observed multiple vehicles including the following: a 2012 Toyota RAV4 bearing Texas license plate KMH4866 registered to Tetinum Kleepbua, who your affiant knows to be Yassein Said's spouse; a 2013 red Lexus sedan bearing Texas license plate KKBYE registered to Dalal Said; a black 2011 Chevrolet Suburban bearing Texas license plate NDZ0687 registered to **Islam Said**; and an older model silver Mercedes Benz bearing Texas license plate BY4H677 which is registered to Yassein Said.² Also on August 17, 2020, Special Agents White and Page conducted physical surveillance of the Justin residence and observed a 2008 dark colored Infiniti sedan bearing Texas license plate KGZ4565 registered to Dalal Said.³ On that same date, your affiant and other agents observed Yassein and **Islam Said** arrive at the Justin residence in Yassein's RAV4 Toyota at approximately 4:40pm. The two men carried approximately five grocery style bags into the residence. Thereafter, at approximately 6:50pm, Yassein and **Islam Said** exited the residence with what appeared to be two trash bags (one small and one large) and a vacuum cleaner. The men placed the items in the back of the RAV4 and then departed the residence. The two bags appeared to be trash.

² During the investigation and physical surveillance, Yousef Almetnawy (Yassein's nephew) has been observed driving the silver Mercedes Benz has be

³ The registration for this vehicle expired in or about May 2019.

As a result of the prior surveillance on August 14, 2020 and the only trash placed curbside for the trash company including leaves and yard debris, your affiant and other members of the FBI had reason to believe that Yassein and **Islam Said** were transporting the trash from the Justin residence to be discarded at a secondary location(s).

21. On or about August 19, 2020 at approximately 1:15pm, Yassein Said arrived at the Justin residence by himself and carried what appeared to be a small black bag and a bottle into the residence. At approximately 4:05pm, Yassein departed the residence with what appeared to be a large black trash bag and a white plastic bag. Yassein placed the bags in his RAV4, reentered the residence, and then departed the residence and drove away from the property at approximately 4:12pm. It should be noted, that the FBI was conducting twenty-four hour surveillance between August 17th and August 19th. No persons were observed exiting or entering the Justin residence between the time period when Yassein and **Islam Said** departed on August 17th at 6:50pm and Yassein's return and departure on August 19th at 4:12 pm. Nonetheless, at approximately 11:51pm on August 19, 2020, the FBI observed what appeared to be a shadow of a person walk across the interior of the residence in front of window two times. Thereafter, the lights inside the residence went off, and the front porch lights were turned on at approximately 11:56pm. Based upon the aforementioned, your affiant had reason to believe that an individual is inside the Justin residence.

22. On Tuesday, August 25, 2020, during the course of surveillance of the Justin residence at approximately 2:30pm, Yassein and **Islam Said** arrived at the residence in Yassein's RAV4.

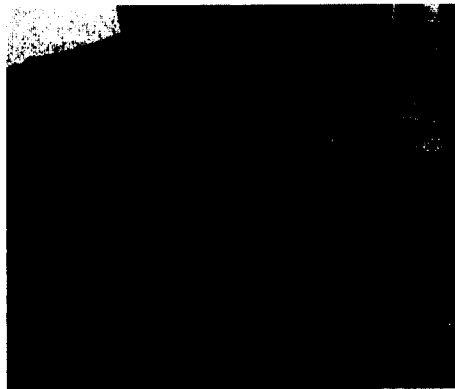
The men carried what appeared to be grocery bags and a large bag inside the residence. The FBI maintained surveillance of the residence after their entry. At approximately 8:49pm, **Islam** was observed exiting the residence carrying what appeared to be two small grocery bags possibly containing trash in light of the way the bags were tied. **Islam** placed the two bags in the back of the RAV4. Yassein also exited the residence. Below is a photograph of **Islam** carrying the bags out of the Justin residence.



23. Thereafter, surveillance was maintained on the Yassein and **Islam Said** and the two men drove approximately 19 miles to a shopping center in Southlake.⁴ The shopping center was the same Southlake shopping center referenced above where Irving Police Department located **Islam Said**'s vehicle subsequent to the execution of the search warrant in August 2017 on **Islam**'s apartment. After arriving at the parking lot, **Islam** got out of the RAV4 and walked to his Suburban, which was parked in the parking lot. The RAV4, being driven by Yassein, then pulled around to the southwest side of the shopping center which is closest to a Panera Bread Company.

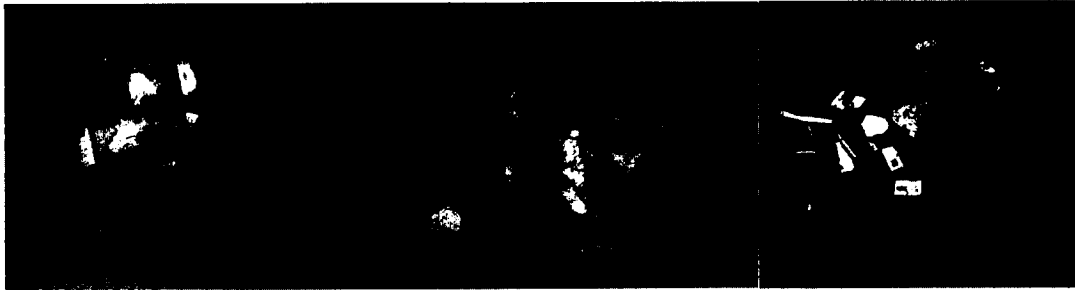
⁴ During the course of this investigation, your affiant has learned that Dalal works at the Panera Bread Company located in the Southlake Shopping Center.

Yassein then pulled to the front of the shopping center and **Islam** walked from his Suburban to the RAV4 for a few moments and then back to his Suburban. Thereafter, the RAV4 pulled out of the shopping center parking lot. Once the area was clear, FBI agents began checking the garbage cans in close proximity to where Yassein and **Islam** were outside of their vehicles in the parking lot. During the course of that search, agents recovered two bags that were consistent in size and shape to the bags that **Islam** carried from the Justin residence. Of all the trash cans searched by the FBI, the agents did not see any other bags that were consistent with what **Islam** carried out of the Justin residence. Below is a photograph of the garbage can the bags were seized from by the FBI.



24. The above identified bags were seized by the FBI and then taken to the FBI office. During a search of the bags, the following type of items were recovered: an egg carton; Coke cans; numerous cigarette butts; a torn-up Zen tube box; an empty Marlboro cigarette box; and water bottles.

Below is a photograph of the bags seized from the garbage can and the items found in the bag.




25. Based upon the aforementioned, the harboring of Yaser Said at his apartment in 2017, the 2017 search warrant return, and the results of that search, your affiant has probable cause to believe that Yaser Said is in the Justin residence.⁵ Further, your affiant has and submits that **Islam Said** has been harboring and conspiring to harbor Yaser Said since at least in or about August 2017 through today's date August 26, 2020.

CONCLUSION

26. Based on the facts set forth above, there is probable cause to believe that beginning at least on or about August 1, 2017, through on or about August 26, 2020, in the Northern District of Texas and elsewhere, **Islam Said** did knowingly combine, conspire and agree with other persons known and unknown to commit offenses against the United States, to wit: unlawfully harbor or conceal a person from arrest, namely Yaser Said, so as to prevent Yaser Said's discovery and arrest, after having knowledge that a felony arrest warrant was issued for the apprehension of Yaser Said, in violation of 18 U.S.C. §§ 371 and 1071, and did unlawfully harbor or conceal a person from arrest,

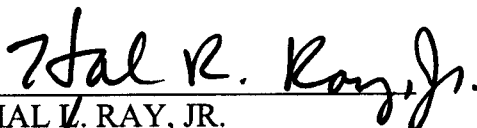
⁵ Your affiant is submitting an Application for a Search Warrant on the Justin residence to a United Magistrate Judge in the Eastern District of Texas.

namely Yaser Said, so as to prevent Yaser Said's discovery and arrest, after having knowledge that a felony arrest warrant was issued for the apprehension of Yaser Said, in violation 18 U.S.C. § 1071, and I request that the Court issue a warrant for his arrest for this offense.



DANIEL GIMENEZ
Special Agent, FBI

Subscribed to and sworn to before me on the 26TH day of August 2020, at 3:56 p.m., in Fort Worth, Texas.



HAL L. RAY, JR.
United States Magistrate Judge
R.